



PATENT
Docket No. 9423 / 080323

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit: 1636 :
In re application of: : COMPOSITION COMPRISING A MOUSE
Sreekrishna et al. : HRT PROTEIN-HUMAN INTERACTING
Application No.: 10/712,629 : PARTNER PROTEIN COMPLEX
Filing Date: November 13, 2003 :
Mail Stop: Sequence
Commissioner for Patents
P.O. Box: 1450
Alexandria, VA 22313-1450

EXPRESS MAIL CERTIFICATE

"Express Mail" label number: EB201435429US

Date of Deposit: September 26, 2008

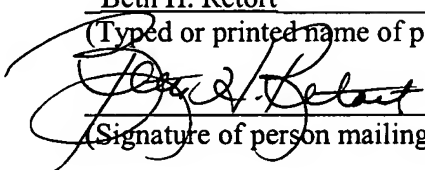
I hereby certify that the following attached paper or fee:

AMENDMENT TRANSMITTAL;
RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT
APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID
SEQUENCE DISCLOSURES;
SEQUENCE LISTING;
COPY OF PTO NOTICE-NOTICE TO COMPLY; and
COMPUTER READABLE DISK

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: **Mail Stop: Sequence, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

Beth H. Retort

(Typed or printed name of person mailing paper or fee)


(Signature of person mailing paper or fee)

(Express Mail Certificate)



9-29-08

T8W

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/712,629
Inventor(s) : Sreekrishna et al.
Filed : November 13, 2003
Art Unit : 1636
Examiner : Jennifer Ann Dunston
Docket No. : 9423/080323
Confirmation No. : 5723
Title : COMPOSITION COMPRISING A
MOUSE HRT PROTEIN-HUMAN
INTERACTING PARTNER PROTEIN
COMPLEX

Mail Stop: Sequence
Commissioner for Patents
P.O. Box: 1450
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is

☐ A statement that this filing is by a small entity is hereby asserted in accordance with the rule change effective September 8, 2000, 65 Fed. Reg. 54603.

☒ other than a small entity.

EXTENSION OF TERM

NOTE: "Extension of Time in Patent Cases (Supplement Amendments) - If a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period.

If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of December 10, 1985 (1061 O.G. 34-35).

NOTE: See 37 CFR 1.645 for extensions of time in interference proceedings, and 37 CFR 1.550(c) for extensions of time in reexamination proceedings.

3. The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

(complete (a) or (b), as applicable)

(a) ☐ Applicant petitions for an extension of time under 37 CFR 1.136
(fees: 37 CFR 1.17(a)-(d) for the total number of months checked below:

<u>Extension (months)</u>	<u>Fee for other than small entity</u>	<u>Fee for small entity</u>
<input type="checkbox"/> one month	\$ 120.00	\$ 60.00
<input type="checkbox"/> two months	\$ 460.00	\$230.00
<input type="checkbox"/> three months	\$1,050.00	\$525.00
<input type="checkbox"/> four months	\$1,640.00	\$820.00

Fee: \$ _____

If an additional **extension** of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

☐ An extension for _____ months has already been secured and the fee paid therefor of \$ _____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ _____

OR

(b) ☒ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

FEE FOR CLAIMS

4. The fee for claims (37 CFR 1.16(b)-(d)) has been calculated as shown below:

(Col. 1)		(Col. 2)		(Col. 3)	SMALL ENTITY			OTHER THAN A SMALL ENTITY	
CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO PREVIOUSLY PAID FOR		PRESENT EXTRA	RATE	ADDIT. FEE	OR	RATE	ADDIT. FEE
TOTAL	8•	MINUS	20••	=0	X25=	\$0		X50=	\$0
INDEP.	2•	MINUS	3•••	=0	X105=	\$0		X210=	\$0
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+185=	\$		+370=	\$0
					TOTAL ADDIT. FEE	\$0	OR	TOTAL ADDIT. FEE	\$0

- If the entry in Col. 1 is less than entry in Col. 2, write "J" in Col. 3.
- If the "Highest No. Previously Paid for" IN THIS SPACE is less than 20, enter "20."
- If the "Highest No. Previously Paid for" IN THIS SPACE is less than 3, enter "3."
The "Highest No. Previously Paid for" (Total or indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

WARNING "After final rejection or action (§ 1.113) amendments may be made cancelling claims or complying with any requirement of form which has been made." 37 CFR § 1.116(a) (emphasis added).

Complete (c) or (d), as applicable)

(c) ☒ No additional fee for claims is required.

OR

(d) ☐ Total additional fee for claims required \$ _____

FEE PAYMENT

5. ☐ Attached is a check in the sum of \$ _____

☐ Charge Account No. _____ the sum of \$ _____

FEE DEFICIENCY

NOTE: *If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, (1065 O.G. 31-33).*

6. ☒ If any additional extension and/or fee is required, charge Account No.
11-1110.

AND/OR

7. ☒ If any additional fee for claims is required, charge Account No.
11-1110.


SIGNATURE OF ATTORNEY

Reg. No.: 30,557

Tel. No.: (412) 355-8619

Customer No. 27752

Christine R. Ethridge
(type or print name of attorney)

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In re application of:	:	COMPOSITION COMPRISING A MOUSE
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	:	PARTNER PROTEIN COMPLEX
	:	
Application No.: 10/712,629	:	
	:	
Filing Date: November 13, 2003	:	

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT
APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO
ACID SEQUENCE DISCLOSURES**

Pittsburgh, Pennsylvania 15222
September 26, 2008

Mail Stop Sequence
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Sequence Listing is submitted in response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures ("Notice") mailed from the U.S. Patent and Trademark Office on August 29, 2008, having a one month period to respond.

Remarks begin on page 2 of this Notice.

REMARKS

In response to the Notice, Applicant submits herewith a replacement Sequence Listing that complies with the requirements of 37 C.F.R. §§ 1.821 – 1.825. Applicant has amended the Sequence Listing to include <220> for SEQ ID NO: 1-20. In addition, <223> for SEQ ID NO: 17 and SEQ ID NO: 18 has been amended to adhere to the 72 character limit. Thus, after amendment, SEQ ID NO: 17 <223> reads, "C-terminal portion of HRt having amino acid residues 490 to 1182" and SEQ ID NO: 18 <223> reads, "Nucleotide sequence of HRt corresponding to C-terminus of HR protein."

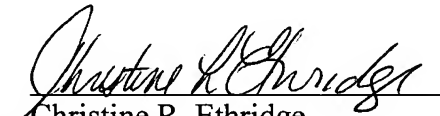
Support for these amendments is found in the originally submitted Sequence Listing. Support for the amendment to <223> for SEQ ID NO: 17 is found in the original descriptive portion of <213> of SEQ ID NO: 18, and support for the amendment to <223> for SEQ ID NO: 18 is found in the original descriptive portion of <213> of SEQ ID NO: 17.

Applicant submits that the amendments to the Sequence Listing introduce no new matter and the Sequence Listing submitted herewith is intended to replace the Sequence Listing previously submitted on May 30, 2008. In addition, Applicant submits that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

If the undersigned can be of assistance to the Examiner in addressing any additional issues to advance the application to a condition of allowance, please contact the undersigned at the number set forth below.

Respectfully submitted,

Dated: 9/26/2008


Christine R. Ethridge
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Customer No. 27752

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Facsimile: (412) 355-6501



Notice to Comply	Application No. 10712629	Applicant(s) SREEKRISHNA ET AL.	
	Examiner Jennifer Dunston, Ph.D.	Art Unit 1636	

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☒ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other:

Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☐ An initial or substitute paper copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application.**
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216 or (703) 308-2923

For CRF Submission Help, call (703) 308-4212 or 308-2923

PatentIn Software Program Support

Technical Assistance.....703-287-0200

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